United Nations CRPD/C/SAU/Q/1

Convention on the Rights of Persons with Disabilities

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Committee on the Rights of Persons with Disabilities

List of issues in relation to the initial report of Saudi Arabia*

A. Purpose and general obligations (arts. 1–4)

1. Please provide updated information on:

(a) Progress made in the implementation of the Convention since July 2015, the date of submission of the initial report of the State party;

(b) Efforts made to fully incorporate the Convention into national legislation since its ratification, including by introducing a human rights model of disability in all laws (including the Disability Care Act), policies and decisions;

(c) Support granted to national and local associations of persons with disabilities and how such associations are involved in the design, execution, evaluation and monitoring of decisions that affect them, such as legislation, policy and awareness-raising campaigns.

2. Please indicate whether persons with disabilities and their organizations may bring cases of discrimination to court and, if so, please provide details on the applicable legal provisions and procedures.

B. Specific rights (arts. 5–30)

Equality and non-discrimination (art. 5)

3. Please inform the Committee about:

(a) Measures taken to adopt anti-discrimination legislation, including provisions prohibiting disability-based discrimination and recognizing that the denial of reasonable accommodation constitutes discrimination;

(b) Cases of discrimination against persons with disabilities that have been reported to the Human Rights Commission, the investigations conducted and the resulting sanctions;

(c) Measures taken to provide reasonable accommodation to persons with disabilities, and legal remedies and sanctions for non-compliance.

Women with disabilities (art. 6)

4. Please provide information on:

(a) Measures taken to mainstream the rights of women and girls with disabilities into disability legislation and policy, and to abolish the system of guardianship;

* Adopted by the pre-sessional working group at its tenth session (24–27 September 2018).

(b) Efforts made to guarantee the independent participation of women and girls with disabilities in public and political life, their access to appropriate educational services and their personal mobility, including the right of women with disabilities to drive;

(c) Measures taken to guarantee that women and girls with disabilities exercise their right to participate in non-governmental organizations and associations concerned with public and political life, particularly organizations of persons with disabilities.

Children with disabilities (art. 7)

5. Please indicate measures taken to ensure the protection of children with disabilities from all forms of corporal punishment, as well as from other forms of ill-treatment, abuse and exploitation in all settings. Please also inform the Committee about measures taken to prevent the abandonment, neglect and institutionalization of children with disabilities.

Awareness-raising (art. 8)

6. Please provide information on any mass media campaigns targeting the general public, organizations of persons with disabilities, employers and health and educational professionals that have been conducted in parallel with the adoption of relevant laws on the rights of persons with disabilities, with the aim of triggering a cultural transformation and eliminating discrimination against persons with disabilities.

Accessibility (art. 9)

7. Please provide information on:

(a) The results of the assessment of accessibility by the Ministry of Transport (CRPD/C/SAU/1, para. 77);

(b) The provisions with which engineers must comply regarding the requirements of persons with disabilities under article 3 of the Disability Care Act and the Saudi Building Code, and the sanctions imposed for non-compliance with these provisions or the State party's guidelines for universal access;

(c) The measures taken to guarantee the accessibility of infrastructure in rural areas.

Situations of risk and humanitarian emergencies (art. 11)

8. Please provide information on existing mechanisms to coordinate action under the risk prevention system with organizations of persons with disabilities. Please also indicate whether information on emergencies and disasters is made available in accessible formats, including sign language and Easy Read, and whether persons with disabilities have access to shelters and assistive devices in risk and emergency situations.

Equal recognition before the law (art. 12)

9. Please inform the Committee about the number of persons with disabilities currently under guardianship, and about steps taken to repeal provisions that deny or restrict the legal capacity of persons with disabilities. Please also provide information on measures taken to repeal substituted decision-making regimes and replace them with supported decision-making for persons with disabilities, particularly in the areas of ownership, inheritance, financial affairs and family relations.

Access to justice (art. 13)

10. Please inform the Committee about measures taken to ensure access by persons with disabilities to legal aid and procedural accommodation, to provide accessible information in the justice system in Easy Read and Braille formats and to guarantee the physical accessibility of court premises in rural and urban areas.

Liberty and security of the person (art. 14)

11. Please provide the Committee with information on:

(a) Whether persons with disabilities are "placed under the permanent care of social habilitation centres" (CRPD/C/SAU/1, para. 99) without their consent, and the current number of persons with disabilities in such institutions;

(b) The current number of persons with disabilities deprived of liberty for penal reasons;

(c) Efforts made to build the capacities of law enforcement and judicial officers to support persons with disabilities in the justice system, and to increase their awareness about the rights of persons with disabilities.

Freedom from torture or cruel, inhuman or degrading treatment or punishment (art. 15)

12. Please provide information on steps taken to abolish corporal punishment and the death penalty, specifically with respect to persons with disabilities.

Freedom from exploitation, violence and abuse (art. 16)

13. Please explain all measures taken to tackle all forms of violence against women and girls with disabilities.

14. Please provide information on the findings and recommendations of the Human Rights Commission after its visits to centres in which persons with disabilities are still institutionalized, including on those issued after its visits to a convalescence centre for persons with severe disabilities in Riyadh in 2012 and 2013, and on consequent measures taken. Please also inform the Committee about measures taken to ensure that persons with disabilities who are survivors of abuse, violence and exploitation have access to effective recovery, rehabilitation and social reintegration services and programmes.

Protecting the integrity of the person (art. 17)

15. Please inform the Committee about steps taken to abolish provisions that allow guardians or legal representatives to consent to medical research or experiments on behalf of persons with disabilities. Please also provide information on measures taken to criminalize the sterilization of persons with disabilities, particularly women and girls with disabilities, without their own free, prior and informed consent.

Living independently and being included in the community (art. 19)

16. Please provide detailed information on the number and nature of day-care, home-care and support services provided to persons with disabilities, pursuant to the Social Rehabilitation Regulations, and on the number and nature of prosthetic and assistive devices provided relative to the number of persons with disabilities who require them, pursuant to Prime Ministerial Order No. 7852/1. Please also indicate the criteria based on which a personal assistant is assigned to a person with disabilities, and provide information on the standards in place to ensure the autonomy of persons with disabilities who are entitled to the services of such an assistant.

Personal mobility (art. 20)

17. Please inform the Committee about:

(a) The conditions of entitlement to use the vehicles of transport companies that have been specifically adapted for persons with disabilities (CRPD/C/SAU/1, para. 134), the procedures in place to access those vehicles and the number of vehicles available relative to the number of persons with disabilities who require them;

(b) The criteria for vehicle modification and the number of modified vehicles that are available in the State party relative to the number of persons with disabilities who require them, pursuant to Prime Ministerial Order No. 7/1285/M, and the number of

assistive devices and audiovisual aids available relative to the number of persons with disabilities who require them, pursuant to article 2 of the Disability Care Act;

(c) Programmes aimed at promoting the mobility of and providing technical aids to persons with disabilities in rural areas.

Freedom of expression and opinion, and access to information (art. 21)

18. Please inform the Committee about:

(a) Measures taken to ensure the accessibility of information to persons with disabilities in all governmental service agencies and on public websites, including its availability in sign language, Easy Read versions, Braille and augmentative and alternative formats and modes of communication;

(b) The support granted to private entities for the promotion of accessible information.

19. Please explain the measures taken to ensure that all deaf children, including those with a cochlear implant, are trained in both oral and sign language communication, and to promote sign language training for their families as well. Please indicate the interaction between the focal point for sign language at the King Salman Centre for Disability Research and associations representing deaf persons. Please also explain the steps taken to:

(a) Recognize Saudi sign language as an official language;

(b) Train sign language interpreters, including those interpreting on television;

(c) Guarantee that interpreters respect the confidentiality of information in medical and judicial settings.

Respect for privacy (art. 22)

20. Please provide information on measures planned or taken to guarantee respect for the privacy of persons with disabilities still living in institutions.

Respect for home and the family (art. 23)

21. Please inform the Committee about measures adopted to end discrimination against persons with disabilities in all issues related to marriage, family, motherhood or parenthood and relationships. Please also provide detailed information on the activities undertaken by associations to encourage persons with disabilities to marry (CRPD/C/SAU/1, para. 152), and on measures taken to guarantee the rights and responsibilities of persons with disabilities with regard to custody, supervision and adoption of children.

Education (art. 24)

22. Please inform the Committee about the results of the national study to assess how well students with disabilities were integrated in mainstream schools (CRPD/C/SAU/1, para. 241). Please also provide information on measures taken to transform the current system of segregated and integrated education into quality, accessible and inclusive education, and to ensure the compulsory training of all teachers on inclusive education and teaching of children with disabilities as an integral part of core teacher training in universities.

Health (art. 25)

23. Please inform the Committee about:

(a) Steps taken to train all health professionals on the rights of persons with disabilities, including the right to free and informed consent, and on communication with persons with disabilities;

(b) Measures taken to ensure the maximum allocation of available resources to guarantee free or affordable access by persons with disabilities to the highest attainable quality of health care;

(c) Steps taken to guarantee lifelong access to the health products and services that persons with disabilities specifically require because of their disabilities and that promote their autonomy and independence;

(d) The number and geographical distribution of accessible health-care facilities;

(e) Statistics on access to sexual and reproductive health services for women and girls with disabilities.

Habilitation and rehabilitation (art. 26)

24. Please inform the Committee about steps taken to increase the availability of community-based rehabilitation services in the State party to meet evolving requirements, and measures taken to train and employ sufficient female rehabilitation staff to guarantee the provision of rehabilitation services by female staff for women and girls with disabilities.

Work and employment (art. 27)

25. Please provide updated information on:

(a) Legislation to protect the labour rights of persons with disabilities, and whether it provides protection against dismissal on the basis of disability;

(b) The revision of the Labour Law to promote the employment and define the rights and obligations of persons with disabilities (CRPD/C/SAU/1, para. 207);

(c) The measures taken to increase and develop employment opportunities for persons with disabilities and formulate plans and policies in that regard (CRPD/C/SAU/1, paras. 204–206), including the adoption of a national strategy for the recruitment and employment of persons with disabilities, a ministerial decision on disability at work and legislation allowing for the licensing of public entities based on their accessibility to persons with disabilities;

(d) The measures taken to ensure that reasonable accommodation is provided to employees with disabilities in the workplace, with a view to promoting their employment, and sanctions for the denial of reasonable accommodation;

(e) Statistics on persons with disabilities in formal employment, in both the public sector and private companies, in addition to those provided (CRPD/C/SAU/1, para. 211).

Adequate standard of living and social protection (art. 28)

26. Please provide information on:

(a) The number of persons with disabilities, including those who are members of minority groups and those who are not citizens of the State party, living in poverty or extreme poverty in urban and rural areas on the territory of the State party;

(b) Programmes in place to facilitate access by the above-mentioned groups to credit, housing and poverty-eradication programmes;

(c) Statistics, disaggregated by impairment, sex, age, nationality, ethnic background and war-veteran status, on the number of persons and families that benefit from the support schemes mentioned (CRPD/C/SAU/1, para. 214), and the amount paid out to them.

Participation in political and public life (art. 29)

27. Please provide information on measures taken to ensure the effective, accessible and inclusive participation of all persons with disabilities, including persons with intellectual disabilities and deaf persons, in public life and in electoral processes, including by voting in person by secret ballot, with support.

28. Please inform the Committee as to whether persons with disabilities, including persons with intellectual disabilities and deaf persons, have the right and capacity to form, join and manage associations independently, based on their free choice. Please also provide

information on measures taken and resources allocated for the support, expansion and diversification of the range of independent organizations of persons with disabilities in the State party.

Participation in cultural life, recreation, leisure and sport (art. 30)

29. Please provide information on:

(a) Progress made towards ratifying the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled;

(b) Plans to increase the accessibility of libraries, audiovisual materials and broadcast services to all persons with disabilities;

(c) Measures adopted to ensure that cultural, recreational, tourism and sporting events and services in the public and private sectors, beyond those specifically dedicated to persons with disabilities, are accessible to persons with disabilities, including children with disabilities.

C. Specific obligations (arts. 31–33)

Statistics and data collection (art. 31)

30. Please provide updated information on the development of statistics and data-collection systems that are based on the human rights model of disability, in accordance with the Convention. Please clarify whether available data is disaggregated by sex, age, ethnicity, type of impairment, socioeconomic status, employment and place of residence.

International cooperation (art. 32)

31. Please provide information on the mechanisms in place for the consultation and involvement of organizations of persons with disabilities in the design and implementation of international cooperation projects and programmes. Please also provide information on the extent to which the Sustainable Development Goals are being implemented in the State party with respect to persons with disabilities.

National implementation and monitoring (art. 33)

32. With reference to the Committee's guidelines on independent monitoring frameworks and their participation in the work of the Committee (2016), please provide information on measures taken to ensure that its Human Rights Commission is independent and operated in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).